



# House of Representatives

General Assembly

**File No. 345**

*January Session, 2001*

Substitute House Bill No. 6430

*House of Representatives, April 18, 2001*

The Committee on Human Services reported through REP. GERRATANA of the 23rd Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

## ***AN ACT ENSURING HEALTH CARE COVERAGE UNDER THE HUSKY PLAN FOR CERTAIN ADOPTED CHILDREN.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (m) of section 17b-292 of the general statutes is  
2 repealed and the following is substituted in lieu thereof:

3 (m) The commissioner shall adopt regulations, in accordance with  
4 chapter 54, to establish residency requirements and income eligibility  
5 for participation in the HUSKY Plan, Part B and procedures for a  
6 simplified mail-in application process. Notwithstanding the provisions  
7 of section 17b-257b, such regulations shall provide that any child  
8 adopted from another country by an individual who is a citizen of the  
9 United States and a resident of this state shall be eligible for benefits  
10 under the HUSKY Plan, Part B upon arrival in this state.

11 Sec. 2. This act shall take effect from its passage.

***Statement of Legislative Commissioners:***

The phrase "Notwithstanding the provisions of section 17b-257b," was added to the new language for consistency with section 17b-257b of the general statutes.

**HS**      *Joint Favorable Subst.-LCO*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

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**OFA Fiscal Note**

**State Impact:** Potential Cost

**Affected Agencies:** Department of Social Services

**Municipal Impact:** None

**Explanation****State Impact:**

This bill allows a child adopted from a foreign country by a state citizen to be eligible for benefits under the HUSKY program upon arrival in the state. To the extent that this leads to additional children being enrolled in the HUSKY program, additional cost to the Department of Social Services will result. However, this change is not expected to add many individuals to the program. The recommended funding levels for the HUSKY program included in HB 6668 (the FY02 – FY03 budget bill) assume caseload increases and should be sufficient to handle any increased enrolment as a result of this bill.

**OLR Bill Analysis**

sHB 6430

***AN ACT ENSURING HEALTH CARE COVERAGE UNDER THE HUSKY PLAN FOR CERTAIN ADOPTED CHILDREN.*****SUMMARY:**

This bill requires HUSKY Plan, Part B regulations to permit a child who is adopted from another country by someone who is both a U.S. citizen and a state resident to be eligible for HUSKY B benefits as soon as the child arrives in Connecticut. Under current law, new residents who are non-citizens may receive only state-funded HUSKY B benefits, and these are not available until the child has been living in the state for at least six months. It would appear that if the adopted child is a citizen, he would be eligible for federally funded benefits immediately. If his citizenship is pending while the provisions of the federal Child Citizenship Act are being met (see BACKGROUND), his benefits would be paid under the bill with state funds. There is no durational residency requirement for U.S. citizens applying for HUSKY B. (Presumably, the adoptive family would have to meet the program's other eligibility requirements.)

EFFECTIVE DATE: Upon passage

**BACKGROUND*****Citizenship for Adopted Children***

Effective February 27, 2001, the federal Child Citizenship Act (PL 106-395) makes adopted children born in another country U.S. citizens automatically, provided (1) at least one adoptive parent is a U.S. citizen, (2) the child is under the age of 18, (3) the child has been fully and finally adopted, and (4) the child is residing in the U.S. under a lawful admission for permanent residence.

***Federal Welfare Reform, Legal Immigrants, and HUSKY B***

The Personal Responsibility and Work Opportunity Reconciliation Act

of 1996 (PL 104-193) placed numerous restrictions on legal and illegal immigrants with respect to eligibility for public assistance. The federal law generally bars immigrants who entered the U.S. after August 22, 1996 from receiving federal entitlements for five years. The federal law enabling the state to create its HUSKY B program (State Children's Health Insurance Program) was passed after the 1996 legislation, and makes no provision for assistance to legal immigrants.

PA 97-2, June 18 Special Session makes certain resident immigrants eligible for state-funded assistance, including medical assistance. The legislation that created HUSKY B (PA 97-1, October 29 Special Session) extended these state-funded benefits to children who were otherwise eligible for HUSKY B. A six-month waiting period was imposed for anyone determined eligible after July 1, 1997.

HUSKY B provides subsidized health insurance benefits to children up to the age of 19 living in families with incomes between 185% and 300% of the federal poverty level. Families with higher incomes can qualify for unsubsidized benefits.

## **COMMITTEE ACTION**

Human Services Committee

Joint Favorable Substitute

Yea 16      Nay 0